G. R. S. 59] GPB—15,000—22-7-14

GENERAL AND REVENUE SECRETARIAT.

1896-97
(Police)

File No. 53

Serial Nos. 60, 61, 73 and 77

B
~~**Papers Filed.**~~

Month July 97

SUBJECT.

Prosecution in cases of infant marriages during the year 1896-97.
(Kannekuppe)

PREVIOUS REFERENCES.	LATER REFERENCES.

Indexed
B B Shanbhag

SECTION 5 of 25

FILE No. — — —

SERIAL No. — — —

According to the
entry in the copy of
Register of Births &
Deaths, the age of the
girl comes up to
7 years, 6 months
& 4 days. None of
the persons whose
depositions are taken
& submitted with the
Inspector Gl's letter,
herewith submitted,
has said that the
girl is underaged.
The original Regr of
Births & Deaths is not
subd by the I. Gl of
Police.

But there is
a copy which will
do for all practical
purposes.

Draft order for prosecution

Subd
MA

20/5/97.

Draft subd SM
1-1917

PROCEEDINGS OF THE GOVERNMENT OF MYSORE.

READ—

Letter No. 3160 – 363 dated 23rd March 1897
from the Inspector General of Police in Mysore,
reporting that on the 29th May 1896 an infant girl of 7 years, ~~married~~
named Honni; daughter of one Kunna
was married to ~~one~~ boy named Thimmappa aged about 14 years
& son of Thimmiah
at Kannikuppe in the Tumkur Taluk.

ORDER THEREON No. _____ DATED March 1897.

Under the provisions of section 8 of Regulation X of 1894, the Government are pleased to direct the prosecution, for offences under section 3 of the Mysore Infant Marriages Prevention Regulation, of all persons who caused the marriage of the infant girl named Honni
with a boy named Thimmappa
and of all persons who knowingly aided and abetted the same, ~~and of the said husband~~

30/3/97 ~~General~~ Secretary.

To

~~The Deputy Commissioner, _____ District.~~
The Inspector General of Police in Mysore returning the vernacular record.

SECTION Police

FILE No. 53 of 96

Gen. 30.]

SER'AL No. 60

8027
26-3-97 to 1136

DEWAN'S OFFICE
1897

(1)

From

The Inspector General of Police
in Mysore.

To

The ~~General~~ Secretary to the
Government of Mysore,
General & Revenue Departments.

Dated 23 March 1897.

Despatched 24

Received 26 —

General No. 3160
No. 363

Enclosure No. 1 and a file.

Requesting sanction to prosecute Kunna and Nidavali Thimmi for an offence under Sec 3 of Regulation X of 1894.

Recd per Despatch 31/3/93

Read per Order.

The statement in the 1st para sentence means that "the parties admit the offence" ~~has not~~ Quite borne out by the record wherein they stated that the girl was about 8 years old. The total ques on the evidence mean that the Birth & Death Registers show that the girl was born on 25/11/88. No other witnesses beside the age of the girl having been under 8 years on the date of her marriage in these circumstances I am of opinion that some further enquiry into the question of the girl's age should be instituted before ordering the papers on the present reference. The Dy Insp Genl may cause such enquiries to be made & submit the record necessary for the removal of Court together with the original Registers of Births & Deaths

J 26/3/97

31/3/97

OFFICE OF THE

INSPECTOR GENERAL OF POLICE IN MYSORE.

No. C. 160 / 363 Dated Bangalore 23rd March 1897 / 24

Enc. 1 file

FROM

THE INSPECTOR GENERAL OF POLICE
IN MYSORE.

To

THE ~~GENERAL~~ SECRETARY TO THE
GOVERNMENT OF MYSORE,
General and Revenue Departments.

SIR,

I have the honor to forward herewith copy Memo from the Assistant Superintendent of Police, Tumkur, ther with the records (to be kindly returned) reporting on the occurrence of an infant marriage at Kannukuppé in the Tumkur Taluk on the 29th May 1896.

2. The Police enquiry shews that the parties are Vakkaligars by Caste, that a girl named Honni, aged 7 years 6 months and 4 days and daughter of one Kunna was given in marriage to a boy named Thimmappa aged about 14 years and son of Midavali Thimmiah and that the marriage was brought about by Kunna and Thimmiah, the fathers of the bride and the bridegroom. The extract from the register of births found in the records, shews that the girl Honni was born

Mem. seen here & admitted in Ct. "B"

on the 25th November 1888. The plea of the fathers of the bride and the bridegroom of ignorance of law is inadmissible.

3. Under these circumstances, I beg that sanction may be accorded to prosecute the above said Kunna and Nidavali Thimmiah, the fathers of the bride and the bridegroom for an offence under section 3 of Regulation No. X of 1894.

I have the honor to be,
Sir,
Your most Obedient Servant,

[illegible]

Inspector General
of Police.

Enclosed 1/a

Memo

In June last one Kunna of Vakkaligar Caste celebrated the marriage of his daughter Homi, a girl of about 7 years old with Timmappa a boy of about 14 years of age at Kannukuppe, Tumkur Taluk. From the Rejister of births, the girl appears to have been born on 25th November 1888. The parties admit the offence but plead ignorance of law as an excuse.

Hence Sanction of the Government may be obtained to prosecute the parties under section 3 of the Infant Marriage Regulation V of 1894.

Tumkur,
13th February 1897

(Signed) M. Hamza Husain.
Assistant Superintendent of Police
Tumkur District.

"Copy"

H. Madhava Rao
Inspector General
of Police.

(4) 7

SECTION Police

FILE No. 53 of 16

SERIAL No. 61

Letter No. 3160/363 of 23rd March 97 from the Inspector General of Police in 1 yr reporting the occurrence an infant marriage at Kannepe in the Innikun Taluk on the 29th May 1896 & recommending the prosecution of parties concerned therein.

Order thereon.. No. 10913/1245 of 97
Sec. 1 file 2-4-97

The statement in the Assistant Superintendent's Memo. that "the parties admit the offence" is not quite borne out by the record which shows that they stated that the girl was about 8 years old at the time of her marriage. The Patel gives no other evidence than that the Birth & Death Register ~~which~> shows that the girl was born

on 25th November 1888. No other ~~evidence~~ witness speaks age of the girl having been ~~under~~ under 8 years on the date of her marriage. In these circum-stances, Government are of opinion that some further Enquiry into the question of the girl's age should be instituted before orders could be passed on the present reference. The Inspector General is accordingly requested to cause such Enquiry to be made and to submit the record thereof for the perusal of Govt. together with the original ~~evidence~~ Register of Births and Deaths.

(secty's order) 1/4/89. for Secty

To

The D. G. of Police returning the records

SECTION Police

FILE No. 53 of 96

SER'AL No. 73

OFFICE OF THE DEWAN OF MYSORE. 154 8 JUL 1897

4

J 42

5

From

The Inspector General of Police in Mysore.

To

The Secretary to the Govt. of Mysore, General and Revenue Depts.

Dated 6th
Despatched 7th } July 1897.
Received
General No. 56
No. 10

Enclosure No. 1 and a file.

Stating that it is reported that no further evidence is available regarding the age of the girl Honni concerned in the Infant marriage case at Kannukuppe in the Sirnkúr Taluk.

Subd. to the Secretary.

The Birth Regr. for November 1888 shows that Kunna son of Kunibora of Vakkijar caste had a daughter born to him named Honni on 25th of that month.

The girl's father Kunna, one of the persons for whose prosecution application is made, is reported to have died vide Patel's deposition dated 6.6.97. As the girl was over 7½ years of age at the time of marriage it is difficult to prove guilty knowledge as against the other persons, the bride & groom's father.

13.7.97

Lucky Boy (?).

Mere entry in the Register is not conclusive proof of the girl's age - there is scarcely any other evidence forthcoming - Govt may therefore decline to grant the sanction asked for -

14-7-97

I agree for reasons given above that there is not a fit case for prosecution and that sanction must be withheld

14/7/97

Rec'd 15/7.
Ltr to Secy: draft ordered
15/7

8.7.97
Refer to Dist
DR
10/7/97

10

OFFICE OF THE

INSPECTOR GENERAL OF POLICE IN MYSORE.

No. 56/10

Dated Bangalore 6th July 1897

Enc. one and a file.

From

THE INSPECTOR GENERAL OF POLICE IN MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

Sir,

With reference to Government Proceedings No. 10913/J. 1245 of the 2nd April 1897, I have the honor to forward herewith copy of docket No. 1070 of the 24th June 1897 from the Deputy Commissioner, Tumkur, stating that the Taluk authorities of Tumkur report that no further evidence is available regarding the age of the girl Honni. The counterfoil of the original register of births and deaths of the Kannukuppe village with the entry of the birth of the girl marked in red pencil in the sheet for November 1888 is herewith forwarded together with the records of the case.

I have the honor to be,
Sir,
Your most obedient Servant,

Inspector General of Police.

Enclosure No. 7B

Gen. 31]

1897 (5/a)

From The Deputy Commissioner,
Tumkur District.

To
The Inspector General
of Police in Mysore.

Dated 24th June 1897

Despatched 25th June 1897

Received

General No. 1070
No.

Enclosure No. Record.

His docket No. 3386 dated 11th April last, asking that further evidence may be gathered regarding the age of the girl Honni whose marriage was reported to have taken place against the provisions of the Infant Marriage Regulation.

Has the honor to state that the Taluk authorities of Tumkur report that no further evidence regarding the age of the girl is available.

2. The entire records are herewith submitted.

Signed/ M. Haniza Husein
For Deputy Commissioner
Tumkur District

P. T. O.

"Copy"

Mr Jankhanabad

Inspector General

of Police.

No: 1189 / 123 dated 21-7-97
me. 1 file

SECTION Police
FILE No. 53 7 1/2
SERIAL No. 77

Read :— (6) 13

(1) Letter No: 3160/363 dated 23rd March 1897 from the Inspector General of Police in Mysore requesting sanction for the prosecution of the undermentioned individuals for an offence under section 3 of Regulation X of 1894 in connection with the celebration of the marriage of an infant girl named Kunni at Kannukuppe in the Tumkur Taluk on 29th May 1896 :—

(1) Kunna, father of the infant girl.

(2) Timmia, father of the bridegroom.

(2) Proceedings of Govt. No: 10913/1245 dated 2nd April 1897 pointing out that the remark in the Assistant Superintendent's memo that the parties admit the offence is not quite borne out by the record, and directing further

further enquiry into the question of the girl's age.

(3) Letter No: $\frac{56}{16}$ dated 6th July 1897 from the Inspector General of Police stating that no further evidence is available regarding the age of the girl and submitting the counter-foil of the Register of Births kept by the Patel of the village for November 1888.

—

Order thereon.

The Patels' deposition dated 6th June 1897 shows that Kunna, father of the infant girl, died about 6 or 7 months ago. As regards the other person Jimmia, Govt. observe that the mere entry in the Patels' Register of Births is not conclusive proof of the girl's age, and there is scarcely

any other Evidance forth-coming to bring home the offence to him. The Govt. are therefore of opinion that this is not a fit case for prosecution and decline to grant the sanction applied for

17-7-97

Secretary

16/7/97

To

The Inspector General of Police in Mysore returning the Enclosures.